

SENATE BILL No. 119

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-3-15.

Synopsis: Annexation. Provides that if a municipality attempts unsuccessfully to annex territory, the municipality may not make further attempts to annex the territory for five years. (Current law provides that if a municipality attempts unsuccessfully to annex territory, the municipality may not make further attempts to annex the territory for two years.)

Effective: July 1, 1999.

Gard, Long

January 6, 1999, read first time and referred to Committee on Governmental and Regulatory Affairs.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 119

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-4-3-15 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15. (a) The court's
3 judgment under section 12 or 15.5 of this chapter must specify the
4 annexation ordinance on which the remonstrance is based. The clerk of
5 the court shall deliver a certified copy of the judgment to the clerk of
6 the municipality. The clerk of the municipality shall:
7 (1) record the judgment in the clerk's ordinance record; and
8 (2) make a cross-reference to the record of the judgment on the
9 margin of the record of the annexation ordinance.
10 (b) If a judgment under section 12 or 15.5 of this chapter is adverse
11 to annexation, the municipality may not make further attempts to annex
12 the territory during the ~~two (2)~~ **five (5)** years after the later of:
13 (1) the judgment of the circuit or superior court; or
14 (2) the date of the final disposition of all appeals to a higher court;
15 unless the annexation is petitioned for under section 5 of this chapter.
16 (c) If a judgment under section 12 or 15.5 of this chapter orders the
17 annexation to take place, the annexation is effective when the clerk of



1 the municipality complies with the filing requirement of section 22(a)
2 of this chapter.

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